

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SECURITIES AND EXCHANGE COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 19-11676-NMG
)	
TANMAYA KABRA, a/k/a TAN KABRA, and)	
LAUNCHBYTE.IO, LLC a/k/a)	
THE KABRA GROUP, LLC,)	
)	
Defendants.)	
_____)	

STATUS REPORT

The plaintiff Securities and Exchange Commission (“the Commission”) submits this status report in the above-captioned case, as ordered by the Court. [Dkt. 53].

The defendant in this case, Tanmaya Kabra (“Mr. Kabra”), was indicted on charges related to the same conduct at issue in this case. See Dkt. 48. After the Court denied Mr. Kabra’s motion to dismiss this matter and scheduled a scheduling conference, [Dkt. 45, 46], the Department of Justice moved to intervene in this action so as to seek a stay. [Dkt. 47, 48]. The Court allowed that motion and, on May 8, 2020, stayed this case.

Since the case was stayed, the criminal litigation has been proceeding. It was previously set for trial on February 1, 2021, with a Final Pretrial Conference on January 21, 2021. Docket, United States v. Kabra, 19-10335-DJC (“Crim. Dkt.”). Trial has now been continued to April 26, 2021, at the request of Mr. Kabra. [Crim. Dkt. 122].

In the above-captioned case, with the stay in place, the Commission has been referring any self-identified harmed investors to the criminal authorities, and updating them on the status of the criminal

case. No discovery has taken place, and the parties have had no discussions about resolving the case.

Respectfully submitted,

SECURITIES AND EXCHANGE COMMISSION

By its attorneys,

//s// Rachel E. Hershfang

Rachel Hershfang (Mass. Bar No. 631898)

Senior Trial Counsel

Emily R. Holness (New York Bar No. 4947941)

Senior Enforcement Counsel

Alicia Reed (New York Bar No. 4913596)

Senior Enforcement Counsel

Boston Regional Office

33 Arch Street, 24th Floor

Boston, MA 02110

(617) 573-8987 (Hershfang direct)

(617) 573-4590 (fax)

HershfangR@sec.gov (Hershfang email)

Dated: February 26, 2021

CERTIFICATE OF SERVICE

I certify that a copy of this motion has been served on defendants of record through filing electronically.

//s// Rachel E. Hershfang

Rachel E. Hershfang

Dated: February 26, 2021